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असाधारण

EXTRAORDINARY

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PART II — Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on 11th March, 2008:—

BILL NO. 23 OF 2008

A Bill further to amend the Sugar Development Fund Act, 1982 and the Sugar Cess Act, 1982.

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Sugar Development Fund (Amendment) Act, 2008.

Short title
and com-
mencement.

(2) It shall be deemed to have come into force on the 5th day of February, 2008.

4 of 1982.

2. In the Sugar Development Fund Act, 1982, in section 4, in sub-section (1), after clause (bbb), the following clause shall be inserted, namely:—

Amendment
of section 4.

“(bbbb) for defraying expenditure for the purpose of financial assistance to sugar factories towards interest on loans given in terms of any scheme approved by the Central Government from time to time.”

3 of 1982.

3. In the Sugar Cess Act, 1982, in section 3, in sub-section (1),—

Amendment
of section 3.

(a) for the words “fifteen rupees”, the words “twenty-five rupees” shall be substituted;

(b) the proviso shall be omitted.

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Repeal and
saving.

4. (1) The Sugar Development Fund (Amendment) Ordinance, 2008, is hereby repealed.

Ord. 4 of
2008.

(2) Notwithstanding such repeal, anything done or any action taken under the Sugar Development Fund Act, 1982 and the Sugar Cess Act, 1982 as amended by the said Ordinance, shall be deemed to have been done or taken under the said Acts, as amended by this Act.

4 of 1982.
3 of 1982.

STATEMENT OF OBJECTS AND REASONS

The Sugar Development Fund Act, 1982 was enacted to provide for financing the activities for development of sugar industry and for matters connected therewith or incidental thereto. Section 4 (1) of the said Act provides the purposes for which the Sugar Development Fund shall be applied by the Central Government. The existing provisions do not specifically provide for payment of interest subvention from the Sugar Development Fund on loans given to sugar factories by banks or financial institutions.

2. The Government has approved a scheme in December, 2007 to provide loans for sugar factories from banks on the basis of excise duty paid and payable in 2006-07 and 2007-08 sugar seasons on production of sugar, with full interest subvention up to a maximum of twelve per cent. per annum, out of which five per cent. of the interest subvention would be provided through budgetary support from the Central Government and the rest seven per cent. from the Sugar Development Fund to utilise the loan proceeds for payment of sugarcane arrears of 2006-07 and sugarcane dues of 2007-08 sugar season (October-September). Claims for interest subvention were expected to be received from February, 2008 itself. Therefore, the provisions of the said section needed to be amended.

3. The Sugar Cess Act, 1982 was enacted to provide for imposing cess on sugar for development of sugar industry and for matters connected therewith. Section 3(1) of the said Act as amended from time to time, provides for a cess on sugar at rates not exceeding rupees fifteen per quintal of sugar. The main source of funds for the Sugar Development Fund is by way of collection of cess on sugar. As per the estimates of the receipts into and disbursements from the Sugar Development Fund in the next about one year and two months, that is, up to March, 2009, there will not be sufficient funds in the Sugar Development Fund to meet the expected expenditure on account of interest subvention. In order to improve the accretion in to the said Fund to meet the requirements of the various schemes approved by the Government and to ensure that sufficient fund is available for carrying out other purposes of the Act, there was immediate need to amend the said section to empower the Central Government to increase the cess from the present rate of rupees fifteen per quintal of sugar to rupees twenty-five per quintal and it will specify the increase in cess as per requirements of funds from time to time.

4. Accordingly, the Sugar Development Fund (Amendment) Ordinance, 2008 was promulgated by the President on the 5th February, 2008. The Ordinance provides as follows:—

- (i) amendment of sub-section (1) of section 4 of the Sugar Development Fund Act, 1982 by inserting a new clause (bbbb) for defraying expenditure for the purpose of financial assistance to sugar factories towards interest on loans given in terms of any scheme approved by the Central Government from time to time;
- (ii) amendment of sub-section (1) of section 3 of the Sugar Cess Act, 1982 to increase the sugar cess from fifteen rupees to twenty-five rupees and to omit the proviso to the said sub-section as it becomes redundant.

5. The Bill seeks to replace the aforesaid Ordinance.

NEW DELHI;

SHARAD PAWAR.

The 26th February, 2008.

985499.
6.6.4.58b

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF
THE CONSTITUTION OF INDIA

[Copy of letter No. 1(5)/2008-SDF, dated the 27th February, 2008 from Shri Sharad Pawar, Minister of Agriculture and Consumer Affairs, Food and Public Distribution to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the proposed Sugar Development Fund (Amendment) Bill, 2008, recommends the introduction of the Bill in Lok Sabha under article 117(1) of the Constitution and the consideration of the Bill under article 117(3) of the Constitution.

FINANCIAL MEMORANDUM

Clause 2 of the Bill proposes to amend sub-section (1) of section 4 of the Sugar Development Fund Act, 1982 to empower the Central Government to defray the expenditure from Sugar Development Fund for the purpose of financial assistance to the sugar factories towards interest on loans given in terms of any scheme approved by the Central Government from time to time. The Government notified a scheme in December, 2007 to provide for interest subvention of seven per cent. per annum from the said Fund on the loans given by banks and financial institutions to sugar factories for making payment to cane growers. It is estimated that the loans from banks and financial institutions against excise duty paid and payable during the year 2006-07 and 2007-08, would be to the tune of rupees three thousand eight hundred and eighteen crore and interest subvention of seven per cent. per annum for four years would be rupees seven hundred and ninety-two crore. The expenditure would be of a recurring nature during the period of the scheme.

2. Clause 3 seeks to increase the maximum amount of cess that may be levied and collected on sugar from rupees fifteen per quintal to rupees twenty-five per quintal. Even if the Government decides to increase the sugar cess to the maximum of rupees twenty-five per quintal, the net increase in the sugar price, that the consumer will have to bear, will work out to just ten paise per kg. of sugar whereas the increased collection of sugar cess for the Fund at a production of two hundred and fifty lakh tons of sugar would be about rupees two hundred and fifty crore per year. The actual increase in cess will be decided by the Central Government taking into consideration all the relevant factors.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 empowers the Central Government to provide financial assistance from Sugar Development Fund to sugar factories towards interest on loans given in terms of any scheme approved by the Central Government.

Clause 3 empowers the Central Government to increase the cess collected by way of duty of excise, by notification in the Official Gazette, on all sugar produced by any sugar factory in India from rupees fifteen per quintal to rupees twenty-five per quintal.

The scheme approved and the notification issued by the Central Government shall be laid before each House of Parliament. Such scheme approved would relate to matters of procedure and administrative detail and it is not practicable to provide them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

BILL NO. 30 OF 2008

A Bill to provide for authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 2006 in excess of the amounts granted for those services and for that year.

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Appropriation (Railways) No. 2 Act, 2008.

Issue of
Rs. 82322,46,43,784
out of the
Consolidated
Fund of India
to meet
certain
expenditure
for the year
ended on the
31st day of
March, 2006.

2. From and out of the Consolidated Fund of India the sums specified in column 3 of the Schedule amounting in the aggregate to the sum of two thousand three hundred twenty-two crores, forty-six lakhs, forty-three thousand and seven hundred eighty-four rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services relating to Railways specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 2006 in excess of the amounts granted for those services and for that year.

Appropriation.

3. The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of India under this Act shall be deemed to have been appropriated for the services and purposes stated in the Schedule in relation to the financial year ended on the 31st day of March, 2006.

185499

THE SCHEDULE
(See sections 2 and 3)

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
3	General Superintendence and Services on Railways .....	..	10,850	10,850
4	Repairs and Maintenance of Permanent Way and Works	10,12,01,942	46,13,542	10,58,15,484
5	Repairs and Maintenance of Motive Power .....	..	2,05,171	2,05,171
6	Repairs and Maintenance of Carriages and Wagons	27,74,14,978	10,51,162	27,84,66,140
7	Repairs and Maintenance of Plant and Equipment .....	..	1,45,184	1,45,184
8	Operating Expenses — Rolling Stock and Equipment ...	..	6,59,312	6,59,312
9	Operating Expenses — Traffic .....	..	5,16,678	5,16,678
10	Operating Expenses — Fuel	95,14,29,679	1,61,00,000	96,75,29,679
11	Staff Welfare and Amenities .....	..	17,16,156	17,16,156
13	Provident Fund, Pension and Other Retirement Benefits	..	15,07,610	15,07,610
16	Assets—Acquisition, Construction and Replacement —			
	Capital	2184,17,21,520	..	2184,17,21,520
	Railway Funds .....	..	2,63,50,000	2,63,50,000
	TOTAL	2317,17,68,119	5,28,75,665	2322,46,43,784

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure incurred in excess of the appropriation charged on the Fund and the grants made by the Lok Sabha for expenditure of the Central Government on Railways for the financial year ended on the 31st day of March, 2006.

LALU PRASAD.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF
THE CONSTITUTION OF INDIA

[Copy of letter No. 2007-B-403/BS/2 dated the 4th March, 2008 from Shri Lalu Prasad, Minister of Railways to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the proposed Appropriation (Railways) Bill providing for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure incurred in excess of the Grants made by the Lok Sabha for 2005-06, recommends under clauses (1) and (3) of article 117 of the Constitution, the introduction in and consideration by Lok Sabha of the Appropriation Bill.

BILL No. 29 OF 2008

A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2007-08 for the purposes of Railways.

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

1. This Act may be called the Appropriation (Railways) Act, 2008.
2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of two thousand three hundred seventy crore, fifty-four lakhs and seventy-four thousand rupees towards defraying the several charges which will come in course of payment during the financial year 2007-08, in respect of the services relating to Railways specified in column 2 of the Schedule.
3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

Short title.

Issue of
Rs. 2370,54,74,000
out of the
Consolidated
Fund of India
for the
financial year
2007-08.

Appropriation.

THE SCHEDULE
(See sections 2 and 3)

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
3	General Superintendence and Services on Railways .....	..	10,56,000	10,56,000
4	Repairs and Maintenance of Permanent Way and Works .....	..	3,53,74,000	3,53,74,000
5	Repairs and Maintenance of Motive Power .....	..	96,000	96,000
8	Operating Expenses—Rolling Stock and Equipment .....	..	6,33,000	6,33,000
10	Operating Expenses—Fuel	10,59,75,000	2,25,67,000	12,85,42,000
12	Miscellaneous Working Expenses	43,57,58,000	18,27,61,000	61,85,19,000
13	Provident Fund, Pension and Other Retirement Benefits .....	..	6,55,000	6,55,000
14	Appropriation to Funds	1606,15,54,000	..	1606,15,54,000
15	Dividend to General Revenues, Repayment of loans taken from General Revenues and Amortization of Over-Capitalisation	309,58,00,000	..	309,58,00,000
16	Assets—Acquisition, Construction and Replacement..			
	<i>Other Expenditure</i>			
	Capital	365,00,00,000	10,17,11,000	375,17,11,000
	Railway Funds .....	..	96,84,000	96,84,000
	Special Railway Safety Fund .....	..	18,50,000	18,50,000
	TOTAL	2334,90,87,000	35,63,87,000	2370,54,74,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the supplementary expenditure charged on the Consolidated Fund of India and the grants made by the Lok Sabha for expenditure of the Central Government on Railways for the financial year 2007-08.

LALU PRASAD.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF
THE CONSTITUTION OF INDIA

[Copy of letter No. 2007-B-402/BS/2 dated the 4th March, 2008 from Shri Lalu Prasad, Minister of Railways to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the proposed Appropriation Bill to authorize payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2007-2008 for the purposes of Railways, recommends under clauses (1) and (3) of article 117 of the Constitution of India, read with clause (2) of article 115 thereof, introduction in and consideration by Lok Sabha, of the Appropriation Bill.

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BILL NO. 21 OF 2008

A Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 2008-09 for the purposes of Railways.

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Appropriation (Railways) Vote on Account Act, 2008.

Withdrawal of
Rs. 25407,01,72,000
from and out
of the
Consolidated
Fund of India
for the
financial year
2008-09.

2. From and out of the Consolidated Fund of India there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of twenty-five thousand four hundred seven crore, one lakh and seventy-two thousand rupees towards defraying the several charges which will come in course of payment during the financial year 2008-09, in respect of the services relating to Railways specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be withdrawn from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes stated in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Railway Board	22,10,17,000	-	22,10,17,000
2	Miscellaneous Expenditure (General)	80,52,83,000	-	80,52,83,000
3	General Superintendence and Services on Railways	527,67,79,000	1,41,000	527,69,20,000
4	Repairs and Maintenance of Permanent Way and Works	901,28,32,000	71,24,000	901,99,56,000
5	Repairs and Maintenance of Motive Power	428,41,60,000	3,83,000	428,45,43,000
6	Repairs and Maintenance of Carriages and Wagons	905,89,27,000	1,17,000	905,90,44,000
7	Repairs and Maintenance of Plant and Equipment	493,08,57,000	86,000	493,09,43,000
8	Operating Expenses — Rolling Stock and Equipment ...	673,37,70,000	2,35,000	673,40,05,000
9	Operating Expenses — Traffic	2381,87,62,000	11,18,000	2381,98,80,000
10	Operating Expenses — Fuel	2278,31,54,000	50,17,000	2278,81,71,000
11	Staff Welfare and Amenities	386,38,65,000	5,25,000	386,43,90,000
12	Miscellaneous Working Expenses	402,30,25,000	10,11,80,000	412,42,05,000
13	Provident Fund, Pension and Other Retirement Benefits	1617,62,48,000	11,06,000	1617,73,54,000
14	Appropriation to Funds	4731,12,33,000	-	4731,12,33,000
15	Dividend to General Revenues, Repayment of loans taken from General Revenues and Amortization of Over-Capitalization	4,28,12,000	-	4,28,12,000
16	Assets—Acquisition, Construction and Replacement —			
	Revenue	10,00,00,000	-	10,00,00,000
	<i>Other Expenditure</i>			
	Capital	4989,80,82,000	2,86,67,000	4992,67,49,000
	Railway Funds	4339,91,67,000	1,78,33,000	4341,70,00,000
	Railway Safety Fund	216,65,00,000	1,67,000	216,66,67,000
	TOTAL	25390,64,73,000	16,36,99,000	25407,01,72,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 116 thereof, to provide for the appropriation from and out of the Consolidated Fund of India of the moneys required to meet the expenditure charged on the Consolidated Fund of India and the grants made in advance by the Lok Sabha in respect of the estimated expenditure of the Central Government on Railways, for a part of the financial year 2008-09.

LALU PRASAD.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF
THE CONSTITUTION OF INDIA

[Copy of letter No. 2008-B-400/2 dated the 25th February, 2008 from Shri Lalu Prasad, Minister of Railways to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the proposed Appropriation Bill providing for the withdrawal from and out of the Consolidated Fund of India of the moneys required to meet the expenditure charged on the fund and the grants made by Lok Sabha for a part of the financial year 2008-09, recommends under clauses (1) and (3) of article 117 of the Constitution of India, the introduction in and consideration by Lok Sabha, of the Appropriation Bill.

P. D. T. ACHARY,
Secretary-General.